



Memphis City Council Summary Sheet

Resolution appropriating Sewer Construction Funds for SW01031
S.C.S. Bus Barn Sewer Extension

- This project is to extend sewer service to the S.C.S. Bus Barn.
- This project was initiated by the developer through a shared cost (50/50) contract in the Land Development Office in accordance with chapter 33 of the Memphis Code of Ordinances.
- This project does not require any changes to existing ordinances or resolutions.
- This item is to approve funding for a new construction contract.
- This item requires approval to appropriate CIP funds for this project.

RESOLUTION

WHEREAS, the Council of the City of Memphis approved Misc Subdivision Outfalls, project number SW01001 as part of the Public Works Fiscal Year 2012 Capital Improvement Budget; and

WHEREAS, bids were taken on August 12, 2011 to extend sewer service to the SCS Bus Barn with the lowest complying bid of six being \$118,811.20 submitted by Ensco, LLC; and

WHEREAS, it is necessary to transfer an allocation of \$130,693.00 funded by Sewer Revenue Bonds from Misc Subdivision Outfalls, project number SW01001 to SCS Bus Barn Sewer Extension, project number SW01031; and

WHEREAS, it is necessary to appropriate \$130,693.00 funded by Sewer Revenue Bonds to SCS Bus Barn Sewer Extension, project number SW01031 as follows:

Contract Amount	\$118,811.00
Project Contingencies	<u>\$11,882.00</u>
Total	\$130,693.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2012 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$130,693.00 funded by Sewer Revenue Bonds from Misc Subdivision Outfalls, project number SW01001 to SCS Bus Barn Sewer Extension, project number SW01031.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$130,693.00 funded by Sewer Revenue Bonds chargeable to the Fiscal Year 2012 Capital Improvement Budget and credited as follows:

Project Title:	SCS Bus Barn Sewer Extension
Project Number:	SW01031
Amount:	\$130,693.00



Memphis City Council Summary Sheet

Resolution amending the General Services Division's Capital Improvement Budget for the purchase of vehicles and equipment for the Public Works Division.

- This is a resolution in support of changes to the General Services Division's Capital Improvement Budget for Public Works Capital Acquisition Project Number GS0212F; whereby, one (1) tandem axle dump truck, one (1) skid steer loader, and one (1) cold planer attachment has been substituted for three(3) pothole crew vehicles as a Public Works priority. There is no change in the total budgeted amount (\$282,500).
- Public Works is making this request with the support of General Services. The subject items have been funded through the General Services Capital Improvement Budget, for the specific use of Public Works.
- This resolution does not change an existing ordinance or resolution.
- This resolution does not require a new contract or amend an existing contract.
- The total budgeted funds remain the same (\$282,500); however, the items identified in the original budget are being amended to reflect the change to one (1) tandem axle dump truck, one (1) skid steer loader, and one (1) cold planer attachment versus the original requested three (3) pothole crew vehicles.

RESOLUTION

WHEREAS, the General Services Division's Capital Improvement Budget includes funding for Public Works Capital Acquisition, project number GS0212F; and

WHEREAS, the Public Works Division has determined that it is necessary to amend the capital acquisition items as follows:

Original Request:

Item	Quantity	Unit Cost	Total Cost
1 Ton 4x4 Truck	1	\$ 37,500	\$ 37,500
Mgmt Vehicles	2	\$ 25,000	\$ 50,000
Truck Pot Hole Crew	3	\$ 65,000	<u>\$195,000</u>
			\$282,500

Amended Request:

Item	Quantity	Unit Cost	Total Cost
Skid Steer Loader	1	\$ 50,000	\$ 50,000
Mgmt Vehicles	2	\$ 25,000	\$ 50,000
Cold Planner Attachment	1	\$ 25,000	\$ 25,000
1 Ton 4x4 Truck	1	\$ 37,500	\$ 37,500
Tandem Axle Dump Truck	1	\$120,000	<u>\$120,000</u>
			\$282,500

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the General Services Division Fiscal Year 2012 Capital Improvement Budget be and is hereby amended for Public Works Capital Acquisition, project number GS0212F, to provide funding for the purchase of one Skid Steer Loader, two Mgmt Vehicles, one Cold Planner Attachment, one 1 Ton 4x4 Truck, and Tandem Axle Dump Truck at a cost of \$282,500.

MEMPHIS CITY COUNCIL
SUMMARY SHEET

RESOLUTION TO APPROPRIATE FY12 CIP FUNDS FOR PREVENTIVE
MAINTENANCE FOR THE MEMPHIS AREA TRANSIT AUTHORITY

- This item is a resolution to appropriate FY12 CIP for preventive maintenance for the Memphis Area Transit Authority.
- MATA initiated the request for the City Council to appropriate the FY12 CIP funds.
- This is not a change to an existing ordinance or resolution.
- This does not require MATA to award a new contract or amend an existing contract.
- On September 7, 2011, the appropriation request was presented to the City Council Public Works, Transportation and General Services Committee.
- Yes, this item requires an expenditure of funds in the amount of \$5,250,000; however, no contracts or budget amendments are required.

RESOLUTION

WHEREAS, The Council of the City of Memphis did include Preventive Maintenance, Project Number GA03018, as part of the Fiscal Year 2012 Capital Improvement Program (CIP) budget; and

WHEREAS, The funds will help the Memphis Area Transit Authority cover costs associated with maintenance of capital assets in Fiscal Year 2012; and

WHEREAS, It is necessary to appropriate \$5,250,000 funded by G. O. Bonds - General in Preventive Maintenance, Project Number GA03018 to fund preventive maintenance costs during Fiscal Year 2012.

NOW, THEREFORE, BE IT RESOLVED By the Council of the City of Memphis that there be and is hereby appropriated the sum of \$5,250,000 funded by G. O. Bonds - General chargeable to the Fiscal Year 2012 Capital Improvement Budget and credited as follows:

Project Title:	Preventive Maintenance
Project Number:	GA03018
Amount:	\$5,250,000

CITY OF MEMPHIS
CAPITAL IMPROVEMENT BUDGET
REQUEST FOR COUNCIL APPROPRIATION

DIVISION: Memphis Area Transit Authority
PROJECT: Preventive Maintenance
INITIATED BY: Maury Miles

DATE: 09/07/11
TITLE: Sr. Mgr. of Grants & Procurement

Finance Office Only

Fund	Fiscal Month	Trans. No.

REVENUE

Award			Resource	CIP Project	AMOUNT	
					Revenue	
	11000	General Obligation Bonds		GA03018	\$ 5,250,000.00	

EXPENSE

Award			Resource	CIP Project	AMOUNT	
						Expense
	11000	Other Costs		GA03018		\$ 5,250,000.00

TOTALS

\$ 5,250,000.00	\$ 5,250,000.00
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COMMENTS: MATA is requesting funds to be appropriated for preventive maintenance costs for MATA's operations.

APPROVED: William H. [Signature] 8/31/2011
Division Director DATE

APPROVED: _____
Budget Manager/Comptroller/Deputy Comptroller DATE

APPROVED: _____
Director of Finance DATE

Finance Only
EFFECTIVE DATE
____/____/____



Memphis City Council Summary Sheet

Resolution to accept funds from the State of Tennessee Department of Labor and Workforce Development

This item is a resolution to accept incentive grant funds from the State of Tennessee Department of Labor and Workforce Development in the amount of \$235,000 to fund the South Memphis Opportunity initiative (SMO).

- The State of Tennessee Department of Labor and Workforce Development, which acts as a pass-through for the U.S. Department of Labor, awarded these funds to the Workforce Investment Network.
- This is a new grant award, pending council acceptance.
- Acceptance of these funds will require a new contract between the State of Tennessee and the City of Memphis, which acts as the administrative entity for the Workforce Investment Network.
- Acceptance of these funds will require an amendment to the FY2012 operating budget to appropriate the funds.

RESOLUTION

WHEREAS, the City of Memphis Workforce Investment Network has received grant funds in the amount of Two Hundred Thirty Five Thousand Dollars, (\$235,000.00) from the State of Tennessee Department of Labor and Workforce Development; and

WHEREAS, these Title One Incentive funds will be used to provide a contingency fund for the South Memphis Opportunity Initiative, and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2012 Operating Budget to establish funds for the WIA Title One South Memphis Opportunity Initiative; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Two Hundred Thirty Five Thousand Dollars, (\$235,000.00) for the WIA Title One Incentive Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the funds totaling Two Hundred Thirty Five Thousand Dollars (\$235,000.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2012 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the WIA Title One - South Memphis Opportunity Initiative in the amount of Two Hundred Thirty Five Thousand Dollars, (\$235,000.00) as follows:

Revenue

State of Tennessee Department of Labor and Workforce Development	
WIA Title One Incentive funds - Program	\$214,000.00
WIA Title One Incentive funds - Administrative	<u>21,000.00</u>
TOTAL	\$235,000.00

Expense

WIA Title One - South Memphis Opportunity Initiative - Program	\$214,000.00
Administrative Funds	<u>21,000.00</u>
TOTAL	\$235,000.00



Memphis City Council Summary Sheet

- Resolution to appropriate \$500,000 for CIP Project IS01070, Replace Obsolete Equipment which was approved by City Council in the FY2012 CIP Budget. This project will fund a programmatic replacement of obsolete equipment and software and maintain the City's infrastructure.
- The Division of Information Service is requesting this action.
- There is no change to an existing ordinance or resolution.
- The City of Memphis entered into an agreement with Affiliated Computer Services (ACS) for the provision of IT services including the procurement of the items pertaining to the services.
- This item requires the appropriation of \$500,000 in General Obligation Bonds chargeable to the FY2012 Capital Improvement Budget.

RESOLUTION

WHEREAS, the Fiscal Year 2012 Capital Improvement Budget approved by the City Council did include the CIP project number IS01007, Replace Obsolete Equipment (Enterprise); and

WHEREAS, Information Services has a project to programmatically replace obsolete equipment and to bolster the City's network storage capacity; and

WHEREAS, the City of Memphis entered into an agreement with Affiliated Computer Services (ACS) for the provision of IT services including the procurement of the items pertaining to the services, and

WHEREAS, it is necessary to appropriate \$500,000 in G. O. Bonds general in CIP Project IS01007, Replace Obsolete Equipment (Enterprise).

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated \$500,000 in General Obligation Bonds chargeable to the FY2012 Capital Improvement Budget and credited as follows:

Project Title: Replace Obsolete Equipment (Enterprise)

CIP Project Number: IS01007

Amount: \$500,000

G. O. Bonds General



Memphis City Council Summary Sheet

Resolution seeking acceptance of grant funds in the amount of \$691,222.00 for the 2010 Edward Byrne Justice Assistance Grant (JAG) awarded to the City of Memphis Police Department from the U.S. Department of Justice through Shelby County, TN Government to prevent and control crime utilizing evidenced-based strategies to address violent crimes.

- This is a resolution to accept grant funds from the Department of Justice through Shelby County Government in the amount of \$691,222.00 specifically for Crime Stoppers prevention program, equipment, training and overtime.
- The City of Memphis Division of Police Services is awarded this grant contract; however, Shelby County Government will serve as the fiscal agent.
- This is a new grant award pending Council approval.
- Acceptance will require an amendment to the 2011 Operating Budget to appropriate the funds.

RESOLUTION

WHEREAS, the City of Memphis Division of Police Services has been awarded grant funds in the amount of Six Hundred Ninety One Thousand, Two Hundred Twenty Two Dollars (\$691,222.00) from the U.S. Department of Justice, Justice Assistance Grant Award through Shelby County government; and

WHEREAS, the grant funding and any interest or other program income generated are intended to provide public safety programs, to include law enforcement equipment; Crime Stoppers prevention program; and law enforcement training projects; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2011 Operating Budget to establish funds for the Justice Assistance Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of Six Hundred Ninety One Thousand, Two Hundred Twenty Two Dollars (\$691,222.00) for the Justice Assistance Grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Justice Assistance Grant funds in the amount of Six Hundred Ninety One Thousand, Two Hundred Twenty Two Dollars (\$691,222.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2011 Operating Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Justice Assistance Grant as follows:

REVENUES

<u>Shelby County Government Justice Assistance Grant</u>	<u>\$691,222.00</u>
Total	\$691,222.00

EXPENDITURES

Equipment	\$485,000.00
Payment to Sub-grantees for Crime Prevention Programs:	50,000.00
Training/Education	91,222.00
<u>Overtime</u>	<u>65,000.00</u>
Total	\$691,222.00



Memphis City Council Summary Sheet

1. Item is a Resolution appropriating the CIP Budget for SRVS (CD01084).
2. Housing & Community Development's Homelessness and Special Needs Department is the initiating party.
3. The resolution is not a change to an existing ordinance or resolution.
4. Resolution does not require a new contract, or amends an existing contract.
5. An expenditure of funds will be required.

RESOLUTION

WHEREAS, in partnership with the City of Memphis Division of Housing and Community Development and its competitively selected non-profit organization, Shelby Residential & Vocational Services, Inc. are continuing with the City's mission to provide support and opportunities for people with developmental disabilities, as part of SRVS' Building Dreams Campaign; and

WHEREAS, SRVS has acquired the property located at 3971 Knight Arnold Rd. Memphis, TN 38118 and will renovate and re-purpose the building to address critical space and program needs; and

WHEREAS, planned renovations will consist of constructing a state of the art comprehensive Day Center that will double the number of special needs clients that are served while expanding and enhancing the programs offered by SRVS ; and

WHEREAS, significant progress has been made toward implementation the Building Dreams Campaign, and as the City of Memphis and SRVS are preparing for execution of evidentiary documents for the second phase of development activity; and

WHEREAS, in accordance with Building Dream Campaign, the second phase of development is ready to commence for the construction of a state of the art Day Center, and as funds are necessary to begin on-site construction, infrastructure improvements, site preparation/grading engineering design work and related activities; and

WHEREAS, SRVS was allocated \$500,000.00 from the FY 2012, Capital Improvement Budgets and those funds have been encumbered to fund the aforementioned activities in the targeted area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$500,000.00 funded by G.O. Bonds-General chargeable to the FY 2012 Capital Improvement Budget and credited as follows:

Project Title:	Building Dreams Campaign
Project Number:	CD01084
Contract Construction:	\$500,000.00



Memphis City Council Summary Sheet

Please provide a brief summary of the item, in bullet form, not to exceed one page:

1. Describe item (Resolution, Ordinance, etc.)

RESOLUTION TO APPROVE AN AGREEMENT TO RECOUP THE COST OF PROVIDING IMPROVEMENTS, FACILITIES AND SERVICE WILLOW CREEK HOUSING, INC., A MARYLAND NONPROFIT CORP., AS REQUIRED BY APPLICABLE TAX EXEMPTION STATUTE, TENN. CODE ANN. §67-5-207, ET SEQ., AT AN AMOUNT OF FIVE DOLLARS (\$5) PER UNIT PER MONTH.

2. Identify initiating party (e.g., Public Works; at request of City Council, etc.)

Division of Housing & Community Development

3. State whether this is a change to an existing ordinance or resolution, if applicable.

Not Applicable

4. State whether this requires a new contract, or amends an existing contract, if applicable.

This requires a new contract. See Exhibit A.

Tenn. Code Ann. §67-5-207(a)(2) requires any qualified project that receives a tax exemption to pay any local government for improvements, facilities and services rendered. Governments are limited to charging no more than the actual costs of providing the improvements, facilities and services.

5. State whether this requires an expenditure of funds/requires a budget amendment.

This does not require an expenditure of funds or a budget amendment.

RESOLUTION

WHEREAS, T.C.A. §67-5-207 states that property of Tennessee not-for-profit corporations either financed under Section 202 of the National Housing Act of 1959, or McKinney-Vento Homeless Assistance Act, or funded under the HOME Investment Partnership Program and used for housing for low income elderly, handicapped, or homeless persons may be exempted from real property taxes, as long as such property complies with the provisions of said Section; and

WHEREAS, T.C.A. §67-5-207(a)(2) provides for recoupment of the cost of providing improvements, facilities and essential services in lieu of real property taxes from these housing developments that are granted an exemption under this Section by the State of Tennessee Board of Equalization, in amounts not to exceed the estimated costs incurred by municipalities or counties to provide the improvements, facilities and/or services to the exempt property; and

WHEREAS, **WILLOW CREEK HOUSING, INC.**, a Maryland nonprofit corp. owning real property located at **3840 Covington Pike, Memphis, TN 38135**, and have applied to the State Board of Equalization for an exemption from real property taxes for said Property, and said exemption is conditioned upon certain conditions, including filing of a prior agreement for payment in lieu of real property taxes to the City; and

WHEREAS, the Board of Commissioners adopted a Resolution on March 16, 2009 reaffirming its past practice and clarifying its going forward policy to charge each low income housing project under T.C.A. §67-5-207 a cost of five dollars (\$5) per unit per month to recoup its costs for improvement, facilities and services provided to such projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that:

1. The Agreement to Recoup the Cost of Providing Improvements, Facilities and Services to **WILLOW CREEK HOUSING, INC.** is hereby approved at a rate of five dollars (\$5) per unit per month.

2. Beginning with the effective date of the real property exemption for the Property granted by the State Board of Equalization, **WILLOW CREEK HOUSING, INC.** shall pay to the City taxing authority for each calendar year (and pro rata for any part of a calendar year for which the tax exemption is in effect) an amount equaling the estimated costs incurred by the City to provide improvements, facilities and/or services to the Property, equal to Five (\$5) Dollars per unit per month as of the effective date of this agreement in lieu of real property taxes.

3. Within thirty (30) days of the granting of the tax exemption, **WILLOW CREEK HOUSING, INC.** shall pay to the City all outstanding real property taxes on the Property for periods prior to the date of the exemption, if any.

4. Subject to Paragraph 5 below, the recoupment of costs required by this agreement are to be

made on or before February 28th of each year or as such time as determined by the City of Memphis Treasury. Any payments in lieu of tax not made when due shall thereafter bear interest at highest rate allowable under applicable law.

5. The recoupment of costs provided for herein shall continue to be due and payable in the amounts specified herein until the date on which the Property is no longer eligible for real property tax exemption under T.C.A. §67-5-207.

6. The parties to this Agreement acknowledge that the City's costs to provide improvements, facilities and/or services to the Property may become greater than the amount of the recoupment of costs made pursuant to this Agreement, and that such costs may increase substantially during the time the Property is entitled to exemption from real property taxes. In consideration of the agreement by the City to accept these payments in lieu of real property tax, and in order to lessen the burden on the City of providing improvements, facilities or services to the Property, **WILLOW CREEK HOUSING, INC.** shall cooperate fully with the City to re-negotiate the terms of this agreement every three (3) years from the date of this agreement.

7. The parties agree that the recoupment of costs provided for herein are entirely separate from, and in addition to, any payments that may be required for garbage fees, sewer fees or other similar fees that may be imposed on all residents of the City in the future.

8. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Tennessee.

9. **BE IT FURTHER RESOLVED**, That the City Mayor is hereby authorized to execute all documents necessary to rescind any prior approval of an Agreement to recoup the cost of providing improvements, facilities and services for **WILLOW CREEK HOUSING, INC.** and the Mayor is further authorized to enter an Agreement for the same purpose at a cost recoupment rate of five dollars (\$5) per unit per month. Said Agreement is attached hereto as "Exhibit A".

EXHIBIT A

CITY OF MEMPHIS CONTRACT FOR PAYMENT IN LIEU OF TAXES FOR A PROJECT EXEMPT UNDER TENNESSEE CODE ANNOTATED SECTION 67-5-207

THIS AGREEMENT, which is effective _____, 2011, is entered into by and among:

(1)(A) "OWNER"

**NAME: WILLOW CREEK HOUSING, INC., a Maryland nonprofit corp.
ADDRESS: 11200 Rockville Pike, Suite 250, Rockville, MD 20852**

**PHONE NO.: (301)998-0460
FAX NO.: (301)998-0489
ATTN: Eliot Reid, President**

(1)(B) "PROJECT"

Project Address: 3840 Covington Pike, Memphis, TN 38135

**Number of Exempt Units: 232
Street Address: 3840 Covington Pike, Memphis, TN 38135**

Shelby County Tax Parcel I.D. No(s): 087-078-00009C

(2) TENNESSE CITY: City of Memphis

**City Contact, Name and Position: Herman Morris
City Address: City of Memphis
125 N. Main St., Room 336
Memphis, TN 38103-2079
City Contact Phone Number: (901) 576-6551**

**With Copy to: Marcus D. Ward
Senior Assistant City Attorney
City of Memphis
701 N. Main Street
Memphis, TN 38107-2311**

TERM: The term commences upon approval of exemption status for the property by the Tennessee State Board of Equalization. This contract for payment in lieu of taxes with the City

of Memphis shall remain in effect and active for so long as the property meets eligibility requirements for exemption pursuant to TCA § 67-6-207, or any amendment or supplement thereto.

CONTRACT TYPE: CITY PILOT CONTRACT ONLY

This Agreement is entered into by and between the **City of Memphis**, and its Division of Housing and Community Development and the Project Owner, for its facility (the "Project") which is housing eligible for exemption under the program set forth in Tennessee Code Annotated § 67-5-207, as may be amended. Incorporated herein by reference are the project unit numbers exempt, the project address and the tax parcel as set forth on the cover sheet.

The subject property is eligible for exemption consistent with the provisions of T.C.A. § 67-5-207, as amended and supplemented thereto, a copy of which is attached and incorporated herein by reference. Among other provisions, the subject property qualifies for exemption in that it has received eligible financing or grant program funds from the U.S. Department of Housing and Urban Development.

Payments under this Agreement shall become effective as of its receipt of a Use and Occupancy Certificate by our local government, unless otherwise specified herein.

The above referenced Project is owned by a Tennessee non profit corporation that in all respects meets the statutory compliance requirements of TCA § 67-5-207; and the operation of the Project is considered one that meets both the National Objective and the objectives established through the City of Memphis by an through its Division of Housing and Community Development.

The said Project is eligible to be declared non-taxable for *ad valorem* tax purposes pursuant to TCA § 67-5-207; and the authorizing legislation permits a Contract for Payment in Lieu of Taxes,

subject to the provision that **in no event shall such payments exceed the estimated costs to provide improvements, facilities or services rendered by the municipality, county, or local government.** It is the intent of this PILOT Agreement to satisfy the contractual requirements of the statute in fulfilling the payment in lieu of taxes agreement with the local government, specifically the City of Memphis. A separate PILOT Agreement either shall be or has been negotiated and entered into with Shelby County government by the Project Owner.

It is agreed among the parties that the Owner shall pay an annual Payment in Lieu of Taxes with reference to the above described Project with the sum being computed on the basis of a total PILOT contract obligation payable solely to the City of Memphis in the amount of Five Dollars (\$5.00) per month, per rental apartment unit. This shall be paid as an annual payment made on or before the year end of each applicable calendar year, prorated for any proportionate term that is less than one full calendar year.

This Contract shall be governed by, and construed in accordance with the laws of the State of Tennessee, and shall further inure to the benefit of, and shall be enforceable by and against the parties hereto, their respective successors and assigns.

The Project Owner represents and warrants that it is a Tennessee not-for-profit corporation duly organized and incorporated in this State, that it has received and at all times during the period of this Agreement, will maintain federal tax exempt status under § 501(c)(3) of the Internal Revenue Code of 1986, as amended; and that the property is and shall remain, at all times relevant during the period of this contract in full compliance with all contracts awarded; and further the Project and the Owner shall comply with all conditions necessary to continue eligibility under TCA § 67-5-207, and any and all applicable laws affecting continued eligibility for exemption from real property taxes under TCA § 67-5-212.

IN WITNESS WHEREOF, this Contract for Payment in Lieu of Taxes has been executed
as of the _____ day of _____, 20__.

WILLOW CREEK HOUSING, INC.

Martin C. Schwartzberg, President, CEO, Chairman

IN WITNESS WHEREOF, the parties above have set their signatures to this Contract for Payment in Lieu of Taxes / Recoupment for Essential Services for Exempt Organizations, pursuant to T.C.A. §67-5-207, and herein effective as of the first date set forth above in this Agreement.

CITY OF MEMPHIS, TENNESSEE

A C Wharton, Jr., Mayor

Robert Lipscomb, Director - Division of Housing and Community Development

Herman Morris, Jr., City Attorney

Marcus D. Ward, Senior Assistant City Attorney